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From: wq-news@googlegroups.com
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Water testing rules for Wyoming oil and natural gas drillers outlined

16 hours ago • [By ADAM VOGUE Star-Tribune energy reporter](#)

GILLETTE – A member of Gov. Matt Mead’s staff laid out an early vision of Wyoming’s impending baseline groundwater testing rules Wednesday, including glimpses into what oil and natural gas drillers will be required to test for and where they might have to collect samples.

In a report to the state Legislature’s Joint Minerals, Business and Economic Development committee, Mead’s natural resources policy adviser Jerimiah Rieman said that staff members are still working to finalize several aspects of the recently announced baseline water testing rules.

The Wyoming Oil and Gas Conservation Commission will enforce the policy and is expected to roll out a draft at its June meeting.

Rieman told members of the committee that many aspects of the rule are yet to be fully shaped but offered a generalized vision of some aspects of the rule.

Among the parts of the rule still undecided by the state are which specific oil and gas constituents drillers would have to search for in the water, and which and how many water sources each driller would have to test.

Rieman told the committee that the state wants to make sure whatever they decide is “scientifically justifiable.”

“This is not intended to be a gamestopper for the industry and add costs to it,” he said.

Rieman also offered several likely aspects of the rule.

He told lawmakers that drillers will likely be required to conduct ongoing testing after initial baseline data is established. He said the most likely scenario would require producing companies to produce “one or two” additional samples during production, rather than a more frequent

approach.

“Otherwise what’s the benefit of taking that initial sample?” he said.

Rieman also told the committee that the final rules are likely to require companies to test registered water wells within a certain distance of the planned oil and gas wells only, eliminating the possibility for producers to drill their own monitoring wells. The state is still evaluating what that distance should be.

He added that some suggested the state also test for nonoil and gas constituents like radon and uranium, but said the tests will not focus on such things. The state is also presuming that it will be up to individual landowners to determine company access to their lands for water testing. Rieman said the two parties could incorporate the testing into a land-use agreement.

Several aspects of the plan remain unshaped. Rieman said state staff members are still determining how public some parts of the water tests will be. He said public disclosure is a potential “mine field” and that the state will likely work to keep certain details – such as address and landowner name – confidential. Coordinates and test results could be among the publicly available data.

The state also has yet to decide how many samples from surrounding domestic wells will need to be collected to establish a baseline. Rieman said a similar Colorado rule ensures at least four samples be taken.

State oil and gas supervisor Grant Black added that the state is likely to require testing from several different depths and directions surrounding the planned wells, which would help the state discover a leak or migration in basically any direction.

Rieman called the plan a “very cheap insurance policy” for the industry and the state. He added that a groundwater contamination battle near Pavillion -- the kind of conflict the testing rules could help avoid -- has cost the state “hundreds of thousands of dollars” and has kept Wyoming residents, regulators and members of the industry in a holding period for years.

Representatives of both industry and landowners groups -- including the Petroleum Association of Wyoming, Wyoming Farm Bureau Federation and the Powder River Basin Resource Council -- told the committee they’re supportive of the rule drafting.

The commission will consider a draft set of rules next month, and Rieman said he hopes the rules will be implemented by the end of the year.

“We do look forward to input from all stakeholders,” Black said. “This isn’t just an industry issue, this is a landowner issue.”

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